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8 Attorney for Petitioner Nicholas Barksdale Howard

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA  
11

12 NICHOLAS BARKSDALE HOWARD,

13 Petitioner,

14 v.

15 RENEE BAKER, et al.,

16 Respondents.  
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Case No. 3:16-cv-00631-RCJ-VPC

**UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE  
OPPOSITION TO MOTION TO  
DISMISS**

**(FIRST REQUEST)**

18 Petitioner Nicholas Howard, by counsel, moves this Court for the entry of  
19 Order extending the time within which he must file an Opposition to Motion to  
20 Dismiss by 46 days from May 17, 2018 to and including July 2, 2018. Howard's  
21 request is based on the record in this case and the attached Points and Authorities.  
22 The state, by Deputy Attorney General Natasha M. Gebrael, does not object to this  
23 request.  
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1 **POINTS AND AUTHORITIES**

2 1. On December 20, 2016, the Office of the Federal Public Defender was  
3 appointed as counsel for Petitioner, Nicholas Howard (ECF No. 5). Undersigned  
4 counsel filed her appearance on August 22, 2017 (ECF No. 27).

5 2. This is Howard's first request for an extension of time. This motion is  
6 not filed for the purposes of delay but in the interests of justice, as well as in the  
7 interests of Howard.

8 3. Counsel's schedule and circumstances beyond her control have  
9 precluded her from meeting the current deadline of May 17, 2018. Counsel is filing  
10 numerous pleadings in the next two weeks, including an Amended Petition. Counsel  
11 is also attending a two day training in the middle of May and will also be taking a  
12 week of leave from the office. Counsel is also preparing for oral argument in June.

13 4. Counsel e-mailed Deputy Attorney General Natasha M. Gebrael  
14 regarding her requested extension. She responded that she does not object to this  
15 request.

16 5. The requested extension is necessary for counsel to complete her review  
17 of the case and to draft and file the Opposition to Motion to Dismiss. For these  
18 reasons, as well as the record in this case, Howard respectfully asks this Court to  
19 grant his request to extend the time for filing an opposition by 45 days until July 2,  
20 2018.

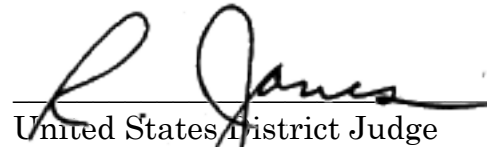
1 Dated this 17th of May, 2018.

2 Respectfully submitted,

3 RENE L. VALLADARES  
4 Federal Public Defender

5 /s/ Kimberly Sandberg  
6 KIMBERLY SANDBERG  
7 Assistant Federal Public Defender

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9 IT IS SO ORDERED:

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12 United States District Judge

13 Dated: — May 17, 2018 —  
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